

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

Plaintiffs #1-21, individually and on behalf  
of all others similarly situated,

Plaintiffs,

v.

THE COUNTY OF SUFFOLK; SUFFOLK  
COUNTY POLICE DEPARTMENT; EDWARD  
WEBBER, individually and in his official capacity;  
MILAGROS SOTO, individually and in her official  
capacity; SCOTT GREENE, individually and in his  
official capacity; BRIDGETT DORMER,  
individually and in her official capacity;  
SUPERVISORY JOHN DOE DEFENDANTS,  
individually and in their official capacities; and  
JOHN DOE DEFENDANTS, individually and in  
their official capacities,

Defendants.

Case No.: 2:15-cv-02431-WFK-LB

**DECLARATION OF ASSISTANT COUNTY ATTORNEY CHRISTIANA S. MCSLOY  
IN SUPPORT OF JOINT MOTION FOR PRELIMINARY APPROVAL OF THE  
CLASS ACTION SETTLEMENT AGREEMENT AND APPROVAL OF  
NOTICE TO THE CLASS OF CLASS ACTION SETTLEMENT**

I, Christiana S. McSloy, hereby declare and state as follows:

1. I am the Chief Deputy County Attorney in the office of Dennis M. Cohen, Suffolk  
County Attorney, attorney for defendants County of Suffolk, Suffolk County Police Department,  
Edward Webber, and Milagros Soto in this civil rights action pursuant to 42 U.S.C. §1983 and  
Title VII, 42 U.S.C. §2000d. (collectively, "County Defendants"). I am a member of the bar of  
the State of New York and admitted to practice in the Eastern District of New York. I make this  
declaration in support of the Parties' Joint Motion for Preliminary Approval of Class Action  
Settlement and Approval of Notice to Class of Class Action Settlement. I have personal knowledge

of the matters set forth herein, and if called as a witness, could and would testify competently thereto.

2. I hereby respectfully submit to the Court that the proposed method of notice to class members certified pursuant to Rule 23(b)(2) is reasonable.

3. The certified Class includes all Latino or Latina drivers and pedestrians who were stopped and/or detained by agents of the Suffolk County Police Department from January 2012 through the present. Therefore, it is practically impossible to provide individual notice to the Class Members for the following cogent reasons.

4. First, the class members are not limited to residents of Suffolk County, but rather include any Latino person who drives or has entered into the County and had an encounter with a member of the Suffolk County Police Department.

5. Second, County Defendants have inquired as to the existence of any databases that would allow for individual notice from the following agencies: The Suffolk County Police Department, the County Executive's Office, the Office of Minority Affairs, and the Traffic and Parking Violations Agency. These inquiries produced negative results. The County does not host or have access to a database that contains all County residents' email addresses, and the County does not collect data that categorically identifies its residents by perceived race or ethnicity. Thus, even if the Class were limited to residents of Suffolk County, the County Defendants cannot identify any source of data that would provide them with information regarding which residents of the County are Latino or Latina, let alone their physical mailing or electronic mailing addresses.

6. Third, Suffolk County has approximately 1.5 million residents, so mailing Notice to every resident would be cost-prohibitive and over inclusive since mailings to every resident

would serve Notice on individuals who are outside the Class. It would also exclude those Class Members who are non-resident Suffolk County drivers and pedestrians.

7. Therefore, pursuant to FRCP 23(c)(2)(A), County Defendants submit that providing notice of preliminary approval by means of publication in newspapers, on County websites and social media pages, as well as physical postings in Suffolk County Police Department Precincts, and distribution through community based organizations will constitute best notice to the Class that is practicable under the circumstances described herein. *See Memorandum of Law in Support of the Joint Motion for Preliminary Approval of Class Action Settlement Agreement, Section IV.B.2.c.(i),* for specific details of Publication Notice.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed in Hauppauge, New York on March 6, 2023.

  
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CHRISTIANA S. MCSLOY  
Chief Deputy County Attorney